

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

(Title of Case) CIVIL NO. _____

PRETRIAL ORDER

Following Pretrial proceedings, pursuant to Rule 16, Federal Rules of Civil Procedure and Local Rule 16.7,

IT IS ORDERED:

1. (a) This is an action for: (State the nature of the action).

(b) The parties are: (List)

Each of these parties has been served and has appeared. All other parties named in the pleadings and not identified in the preceding paragraph are now dismissed.

(c) The pleadings which raise the issues are: (List)

2. Jurisdiction and venue are invoked upon the grounds: (Concise statement of facts necessary to confer federal jurisdiction and venue; if not a federal case, cite local statutory provisions vesting jurisdiction in the District Court. State whether the facts requisite to federal jurisdiction are denied or admitted.)

3. The following facts are admitted and require no proof: (Set forth each admitted fact, including jurisdictional facts.)

4. The reservations as to the facts recited in Paragraph 3, above, are as follows: (Set forth any objection reserved by any party as to the admissibility in evidence of any admitted fact and, if desired by any party, limiting the effect of any issue of fact as provided by Rule 36(b), Federal Rules of Civil Procedure, as the case may be.)

5. The following facts, though not admitted, are not to be contested at the trial by evidence to the contrary: (Set forth)

6. The following issues of facts, and no others, remain to be litigated at the trial: (Set forth facts to be litigated, a mere general statement will not suffice. State only ultimate facts. Only facts susceptible to conflicting proof should be within this category.)

7. The following issues of law, and no others, remain to be litigated at the trial: (Set forth a concise statement of each.)

(N.B. Counsel are urged to reach agreement as to the issues of fact and law and how to state them. Where agreement is impossible, the Pretrial Conference Order should set forth the proposed issues with the parenthetical notation as to which party wishes it so stated and which party disagrees. Separate proposed pretrial conference orders will not be accepted. Issues in third-party pleadings should be stated separately and so identified.)

8. All discovery is complete. (If discovery is not complete only that discovery reserved in the Pretrial Conference Order will be allowed.)

9. The Exhibit Lists of the parties have been filed with the Court as required by Local Rule 16.7. The parties anticipate the following objections to the exhibits listed below:

10. Witness lists of the parties have heretofore been filed with the Court as required in Local Rule 16.7. (Except for good cause shown, only the witnesses identified in the list will be permitted to testify other than for impeachment or rebuttal.)

11. Each party intending to present evidence by way of deposition testimony has marked such depositions in accordance with Local Rule 32.1. For this purpose, the following depositions shall be lodged with the clerk as required by Local Rule 32.1: (List)

12. The following law and motion matters are pending or contemplated: (State "none" or list.)

13. The trial is to be a jury (non-jury) trial.

(If a jury trial, add): At least seven (7) days prior to the trial date counsel shall serve on all parties and lodge with the Court proposed voir dire questions, if any; the forms of verdict; and joint proposed jury instructions as required by Local Rule 16.7(f) and Local Rule 51.1.

(If non-jury trial, and requested by the Court, add): At least seven (7) days prior to the trial date each counsel shall serve on all parties and lodge with the Court proposed findings of fact and conclusions of law.

14. The trial is estimated to take ____ trial days. (Where counsel cannot agree, set forth each side's estimate.)

15. The Final Pretrial Conference shall be held on the ____ day of _____, 20____, at ____ o'clock.

16. The trial of this cause will be held on the ____ day of _____, 20____, at _____ o'clock.

17. The foregoing admissions having been made by the parties, and the parties having specified the foregoing issues of fact and law remaining to be litigated, this Pretrial Conference Order shall supersede the pleadings and govern the course of the trial of this cause, unless modified to prevent manifest injustice.

DATED this _____ day of _____, 20____.

(NAME OF JUDGE)

Judge, District Court of Guam

APPROVED AS TO FORM AND CONTENT:

Attorney for Plaintiff

Attorney for Defendant

Attorney for (indicate party represented)